

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI

IN THE MATTER OF THE SEARCH OF
INFORMATION ASSOCIATED WITH
FACEBOOK USER ID 1500252083 THAT
IS STORED AT PREMISES CONTROLLED
BY FACEBOOK INC.

Case No. 19-SW-2069-DPR
Under Seal

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Brian Martin, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a search warrant for information associated with a certain Facebook user ID, 1500252083, that is stored at premises owned, maintained, controlled, or operated by Facebook Inc. ("Facebook"), a social networking company headquartered in Menlo Park, California. The information to be searched is described in the following paragraphs and in Attachment A. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require Facebook to disclose to the government records and other information in its possession, pertaining to the subscriber or customer associated with the user ID.

2. This affiant is a Task Force Officer (TFO) with United States Immigration and Customs Enforcement (ICE) Office of Homeland Security Investigations (HSI) in Springfield, Missouri. I have been employed as a Barry County, Missouri, Deputy Sheriff since 1997 and a sworn law enforcement officer since 1985. I am also currently a TFO with the Southwest Missouri Cyber Crimes Task Force (SMCCTF) in Joplin, Missouri. I have been assigned to investigate computer crimes, including violations against children. I have gained expertise in the conduct of

such investigations through training in seminars, classes, and everyday work related to conducting these types of investigations. I have attended training provided by the FBI Cyber Crime Division, the FBI's Regional Computer Forensic Laboratory, and the Missouri Internet Crimes Against Children (ICAC) Task Force. I have written, executed, and assisted in over 200 search warrants on the state and federal level.

3. As part of this affiant's duties with HSI/ICE, this affiant investigates criminal violations relating to child exploitation, child pornography, and coercion and enticement, in violation of 18 U.S.C. §§ 2251, 2252(a), 2252A, and 2422. This affiant has received training in the areas of child pornography, child exploitation, and human/sex trafficking.

4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

5. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of 18 U.S.C. §§ 2251, 2252, and 2422 have been committed by Daniel Thomas Baggott and Amanda Errin Hunt. There is also probable cause to search the information described in Attachment A for evidence of these crimes and contraband or fruits of these crimes, as described in Attachment B.

PROBABLE CAUSE

6. On April 8, 2019, HSI and Southwest Missouri Cyber Crimes Task Force (SMCCTF) Officer Brian Martin began an investigation into a CyberTip made by Facebook. On April 7, 2019, Facebook initiated CyberTip 48443114 with the National Center for Missing and Exploited Children (NCMEC).

7. In CyberTip 48443114, Facebook reported that two Facebook account holders exchanged images containing suspected child pornography through Facebook Messenger between August 5, 2017, and January 14, 2019. The first user was identified with user ID 100010906904905, screen name “jeard.copis,” profile name “Daniel Mancer,” and profile Uniform Resource Locator (URL) “<https://www.facebook.com/jeard.copis>.” This user provided a date of birth as December 30, 1966. Facebook also identified this user as associated with or using another account with user ID 1500252083, screen name Daniel.baggott.9, profile name “Daniel Mancer,” and profile URL “<https://www.facebook.com/daniel.baggott.9>.” This account listed a date of birth of July 25, 1982. Facebook provided IP addresses for the accounts.

8. The second user was identified with user ID 100005540612346, screen name “amanda.hunt.739326,” profile name “Amanda Parrish,” and profile URL “<https://www.facebook.com/amanda.hunt.739326>.” This user listed a date of birth as August 8, 1979.

9. TFO Martin requested that the Missouri Information Analysis Center (MIAC) check Department of Revenue records for Daniel Baggott and Amanda Hunt. MIAC located an Amanda Errin Hunt (AKA Amanda Errin Parrish), date of birth August 8, 1979, with an address in El Dorado Springs, Cedar County, Missouri. MIAC also located a Daniel Thomas Baggott, date of birth July 25, 1982, with an address at 86 Brook Avenue, North Plainfield, Somerset County, New Jersey 07060-4807.

10. TFO Martin reviewed the files, which Facebook had already viewed and attached with the CyberTip, and determined that the images did contain child pornography. For example, file ending in *065_n.mp4 depicts a close up of a nude minor female’s vaginal area. The minor female is depicted with her finger(s) inside her vagina. File ending in *432_n.jpg depicts a minor

female fully nude in a shower. The image depicts her breast and vagina. Through subsequent investigation, TFO Martin identified the minor child in the images as 15-year-old Jane Doe.

11. On April 8, 2019, Facebook initiated CyberTip 48490838 with NCMEC. Facebook reported they located chat messages within the Facebook Messenger function between Jane Doe and Baggott's accounts previously identified in Paragraph 7: user ID 100010906904905 (screen name jeard.copis) and user ID 1500252083 (screen name Daniel.baggott.9). Facebook provided the two separate accounts for Jane Doe, the first account was for user ID 100024295924425 and the second account was for user ID 100015360787415. The identifying information provided by Facebook for Jane Doe's accounts matched that of Jane Doe, such as her age, date of birth, name, and location. Facebook also located chat messages between the account holder in Paragraph 7 and the account holder in Paragraph 8, user ID 100005540612346 (screen name amanda.hunt.739326). Facebook reported that the messages were sexually explicit in nature and contained possible images of child pornography.

12. Facebook provided excerpts of chat messages conversations between the users. TFO Martin reviewed the excerpts and confirmed that the messages include sexually explicit conversation between Jane Doe and Baggott, as well as Hunt and Baggott discussing sexually explicit conduct between themselves and Baggott and Jane Doe. TFO Martin also viewed the images that were attached between the users in the chat message excerpts provided by Facebook, images which Facebook had already viewed, and confirmed that some of the images depicted Jane Doe engaged in sexually explicit conduct.

13. Below are excerpts of conversations between Baggott (account with user ID 1500252083) and Jane Doe (account with user ID 100015360787415) from August 8, 2017:

Jane Doe: I can't wait to go up to NJ Daddy I luv u

Baggott: I love you too [Jane Doe]
JDL: I miss you daddy
Jane Doe: I wanna come home to you...I wished you were there at the hospital today
Baggott: I wish you were up here as well wish I was up there too I love you too and miss you
Jane Doe: ☺ we should be getting my disability soon daddy can we get a place then with you? I don't wanna be here much longer daddy...this place makes me so upset because you're not here
Jane Doe: Are u @ work daddy I don't mean to get u in trouble
Baggott: (The Daniel Mancer (UID 1500252083) account sent an image)
Baggott: Yea I can't wait to get a place
Jane Doe: My daddy
Jane Doe: ??????????????
Jane Doe: Me to daddy soon mommy is meeting with our lawyer soon

14. Below are excerpts of conversations between Baggott (account with user ID 1500252083) and Jane Doe (account with user ID 100024295924425) on February 24, 2018:

Baggott: Do you like the videos daddy sends sometimes
Jane Doe: Yea
Baggott: [sticker sent]
Jane Doe: Lol
Baggott: You're my hella sexy princess
Jane Doe: ?
Baggott: White people terms...you're my very sexy princess
Baggott: You're my hella sexy princess
Jane Doe: Aww ur my very sexy daddy
[...]
Baggott: I want my sexy [Jane Doe] picture

15. Below are excerpts of conversations between Hunt (account with user ID 100005540612346) and Baggott (account with user ID 100010906904905) May 6, 2018:

Hunt: (The Amanda E. Parrish (UID 100005540612346) account sent an image reported as containing possible child pornography.)
Hunt: Will have to give me a minute noone will help me take mine they don't want to see me ☺ amd it takes me a few one sec
Hunt: Did you get [Jane Doe]
Baggott: Yea but I really can't see the full on
Hunt: Ok soooo you want me to stand back and take one?
Baggott: Yea please
Hunt: Like more boob up clise or the face?

Hunt: Ok one sec shes in the shower grr [Jane Doe] lol you want aexy pose no pose? I need to know what kind you want

Hunt: Please

Baggott: Sexy

Hunt: (The Amanda E. Parrish (UID 100005540612346) account sent an image reported as containing possible child pornography.)

Baggott: Hehe cute

Baggott: What about your tits

Hunt: Haha hang on im not flexible like her and I have ro do it myself bc noone will help me then I end up taking a picture of my nose

Baggott: Lol ok

Baggott: Thank you for the picture [Jane Doe]

Hunt: Hang on lol its hard bc its to dark or I miss altogether

Hunt: Your welcome she says

Baggott: I love you [Jane Doe]

Hunt: I love you too daddy she says

Hunt: She says only for you will she take boobie picture shes gonna close her eyes but can she finish her shower?

[...]

Baggott: I can't wait to get a vajayjay picture

Hunt: (Sticker sent)

Hunt: Hehe should be over by tomorrow I think I will shave her up and make her look pretty for her daddy

Baggott: Yey cool

Hunt: Hehe

Baggott: I'm going to Facebook you on my other account because [A. LNU] is going to YouTube on his phone

Hunt: Ok I love you my phone is jyst not charging fast

Baggott: I love my family so much, thank you for putting up with me mommy and [Jane Doe]

Hunt: I love our family so much to baby..its everything to me..all I have left hehe thank you for putting up with us and our pms pants..its our pleasure and its not putting up with its what you do when your in love right

Baggott: (The Daniel Mancer (UID 100010906904905) account sent a voice note.)

Hunt: Hehe yea we got handsome boys and a sexy girl hehe love our family baby so much

[...]

Hunt: Mama wants some of your DICK..[Jane Doe] wants some of your DICK

[...]

Baggott: Hehe.. Is [Jane Doe] mad at that i grounded her for spiting?

Hunt: No

Hunt: Just sad that she cant have anything to do with daddy

Baggott: Well I said vag shot but she has her monthly cycle thing so I said you was a token she said no she said she would do boobie pictures so I said four of them but they have to really be sexy for her daddy

Hunt: Yea I know baby shes just sad she got grounded from you...sorry my hands were wet baby

Hunt: Lol

Hunt: Shes going to take the pictures now babe

[...]

Hunt: (The Amanda E. Parrish (UID 100005540612346) account sent an image reported as containing possible child pornography.)

Hunt: (The Amanda E. Parrish (UID 100005540612346) account sent an image reported as containing possible child pornography.)

Hunt: (The Amanda E. Parrish (UID 100005540612346) account sent an image reported as containing possible child pornography.)

Hunt: (The Amanda E. Parrish (UID 100005540612346) account sent an image reported as containing possible child pornography.)

Baggott: Can you have one topless like your giving a bj

Hunt: Ok

Hunt: (The Amanda E. Parrish (UID 100005540612346) account sent an image reported as containing possible child pornography.)

Baggott: Ok now topless with you sucking on a finger

Hunt: Really baby?

Hunt: You said four babe

Hunt: She doesn't want to do anymore she says

Baggott: Ok that's fine

Baggott: Thank you [Jane Doe]

[...]

Hunt: Yeah but a 15 I couldn't have sent a vajayjay picture either..id have been all talk to till it came down to it..just saying...I wasn't one to ever flaunt my stuff shes not either.i know its just you shes showing but shes still shy

[...]

Baggott: Is she getting to see the pictures I sent you or?

Hunt: Yea

Hunt: She said daddy pee pee lmao

[...]

Baggott: What was she like when she heard that having to do mommy stuff

[...]

Hunt: Awww yay daddy id love to take care of you

Hunt: All lovey

Hunt: [sticker sent]

Hunt: Just all giddy excited

Baggott: Even the other stuff suck and fucking and all that shit?

Hunt: Hehe she giggled and was like ok bring it on lol im like uh huh

[...]

Hunt: (The Amanda E. Parrish (UID 100005540612346) account sent an image reported as containing possible child pornography.)

Baggott: It's cute and furry like a peach

Hunt: Lmao

Baggott: I want to eat it
[...]
Baggott: Mama can I stick my dick in you?
Hunt: Omg yes!!!
Baggott: Mom baby
Baggott: Mmm baby
Baggott: Ask [Jane Doe] if I can stick my dick in her.

16. Below are excerpts of conversations between the Baggott (account with user ID 100010906904905), Hunt (account with user ID100005540612346), and Jane Doe (account with user ID 100024295924425) from March 25, 2019:

Hunt: Awww we love you to Baby butt hehe [Jane Doe's] not feeling very good at all..shes crying wanting her daddy
Baggott: (The Daniel Mancer (UID 100010906904905) account sent a voice note.)
Hunt: That made her cry even harder shes says daddy I don't feel very good I wish you were here to hold me and give me kisses
Baggott: (The Daniel Mancer (UID 100010906904905) account sent a voice note.)
Hunt: She says I love you to daddy
[...]
Baggott: (The Daniel Mancer (UID 100010906904905) account sent an image depicting male genitalia)
Hunt: (The Amanda E. Parrish (UID 100005540612346) account sent an image depicting female lips.)
Baggott: I love the boobie picture mama
Hunt: Thank you baby hehe I'm glad you love it
Jane Doe:
Hunt: ?
[sticker sent]
Jane Doe: (The Jane Doe (UID 100024295924425) account sent an image.)
Baggott: You're my beautiful princess
Jane Doe: My sexy daddy
[...]
Baggott: Who wants to fuck daddy? You know stick my dick in her pussy
Hunt: Meeeeee
Baggott: Yay hehe mwa
Baggott: I love you so much mama
Hunt: (sticker sent)
Hunt: I love you sooo much to my sexy
Hunt: Husband

17. Below are excerpts of conversations between Baggott (account with user ID 100010906904905) and Jane Doe (account with user ID 100024295924425) from March 30, 2019:

Baggott: I love you so much mwah my beautiful princess
Jane Doe: Yea I do
Baggott: Hehe yay
Baggott: your my precious princess
Jane Doe: Your my precious daddy and my sexy daddy
Baggott: Sorry you got your period again.
Jane Doe: It's ok daddy
[...]
Baggott: Mommy said she the only one who wants to fuck daddy
Jane Doe: No I do too daddy
Baggott: I love you so much my beautiful princess and I miss you too
Jane Doe: I love you too so much my sexy daddy
Jane Doe: And I miss you as well
[...]
Baggott: (The Daniel Mancer (UID 100010906904905) account sent an image depicting male genitalia.)

18. On April 9, 2019, TFO Martin made contact with Hunt at the El Dorado Springs, Missouri, Police Department (ESPD). After being advised of her rights, per *Miranda*, Hunt agreed to waive those rights and speak with TFO Martin. Hunt confirmed she and Jane Doe resided in El Dorado Springs, Missouri. TFO Martin told Hunt that he had information that sexually explicit images of Jane Doe had been produced and shared. Hunt expressed shock that Jane Doe would do something like that. Hunt stated that Jane Doe had a cell phone, which Hunt said her (Hunt's) boyfriend had gotten. Hunt identified her boyfriend as Daniel Baggott. TFO Martin read some of the chat message excerpts included above to Hunt. Hunt admitted to taking some of the sexually explicit images of Jane Doe and also asking Jane Doe to take sexually explicit images Baggott requested. Hunt also admitted to sending Baggott the sexually explicit images of Jane Doe and engaging in the sexual chat messages in Facebook Messenger with Baggott regarding Jane Doe. Hunt advised that Baggott had come to Missouri at least once a year since 2014. Hunt confirmed that Baggott resided in New Jersey. Hunt told TFO Martin that Baggott resided at 86 Brook Avenue, North Plainfield, New Jersey. Hunt also told TFO Martin that Baggott worked at a

business in New Jersey called "Express" or "Quick Check." Hunt stated Baggott was returning to Missouri in a couple weeks for another week-long visit.

19. TFO Martin asked Hunt if she would provide consent to search her cellular phone. Hunt stated she would and provided consent to search her cellular phone, a Samsung SM-J336AZ. Hunt had the cellular phone on her person when she arrived at the ESPD. Hunt had given her cellular phone to ESPD law enforcement prior to entering the interview room for her interview with TFO Martin. After the interview was concluded, Hunt, who was not under arrest and free to leave, collected her cellular phone from the ESPD officer stationed outside the interview room and provided it to TFO Martin. Prior to handing the cellular phone to TFO Martin, TFO Martin asked Hunt if she had a passcode. Hunt responded that she did have a passcode and voluntarily removed the passcode to access the cellular phone. TFO Martin took the cellular phone into custody.

20. On April 10, 2019, TFO Martin provided Hunt's cellular phone to HSI/SMCCTF TFO James Smith for a forensic examination. TFO Smith began the process of extracting the data off Hunt's phone. In Hunt's cellular phone's photo gallery, TFO Smith located two screen shots containing employment information for Baggott. The screen shots showed that Baggott has been employed with QuickChek in North Plainfield, store #172, as a gas shift manager since October 12, 2018. Baggott's personal email on his employee information page was listed as arsonmancer@gmail.com. Baggott's phone number was listed as 908-525-8252. TFO Martin confirmed this was the same phone number listed for Facebook account with user ID 100010906904905.

21. On April 12, 2019, HSI Special Agent Jill Lasseter, assigned to the Special Agent in Charge in the District of New Jersey, received the lead to locate Baggott from TFO Martin. On April 15, 2019, SA Lasseter applied for and received a search warrant for Baggott's residence

from United States Magistrate Judge Cathy Waldor in the District of New Jersey. On April 16, 2019, HSI Newark, with assistance from the Somerset County Prosecutor's Office and North Plainfield Police Department, executed the search warrant at Baggott's residence. Upon arrival, Baggott opened the door. In a post-*Miranda* with SA Lasseter and HSI SA Bradley Benwell, Baggott explained that he met Hunt and her children through PlayStation Home approximately twelve years ago. The first time he went to visit them in El Dorado Springs, Missouri was approximately six or seven years ago. He stated that he has visited four or five times, and he planned to visit them again in May 2019. Baggott confirmed several usernames for his Facebook accounts including "Daniel Mancer" and "jeard copis." Baggott further admitted to requesting sexually explicit images and videos of Jane Doe and sending pictures of his penis to Hunt and Jane Doe.

22. Facebook owns and operates a free-access social networking website of the same name that can be accessed at <http://www.facebook.com>. Facebook allows its users to establish accounts with Facebook, and users can then use their accounts to share written news, photographs, videos, and other information with other Facebook users, and sometimes with the general public.

23. Facebook asks users to provide basic contact and personal identifying information to Facebook, either during the registration process or thereafter. This information may include the user's full name, birth date, gender, contact e-mail addresses, Facebook passwords, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers. Facebook also assigns a user identification number to each account.

24. Facebook users may join one or more groups or networks to connect and interact with other users who are members of the same group or network. Facebook assigns a group identification number to each group. A Facebook user can also connect directly with individual

Facebook users by sending each user a “Friend Request.” If the recipient of a “Friend Request” accepts the request, then the two users will become “Friends” for purposes of Facebook and can exchange communications or view information about each other. Each Facebook user’s account includes a list of that user’s “Friends” and a “News Feed,” which highlights information about the user’s “Friends,” such as profile changes, upcoming events, and birthdays.

25. Facebook users can select different levels of privacy for the communications and information associated with their Facebook accounts. By adjusting these privacy settings, a Facebook user can make information available only to himself or herself, to particular Facebook users, or to anyone with access to the Internet, including people who are not Facebook users. A Facebook user can also create “lists” of Facebook friends to facilitate the application of these privacy settings. Facebook accounts also include other account settings that users can adjust to control, for example, the types of notifications they receive from Facebook.

26. Facebook users can create profiles that include photographs, lists of personal interests, and other information. Facebook users can also post “status” updates about their whereabouts and actions, as well as links to videos, photographs, articles, and other items available elsewhere on the Internet. Facebook users can also post information about upcoming “events,” such as social occasions, by listing the event’s time, location, host, and guest list. In addition, Facebook users can “check in” to particular locations or add their geographic locations to their Facebook posts, thereby revealing their geographic locations at particular dates and times. A particular user’s profile page also includes a “Wall,” which is a space where the user and his or her “Friends” can post messages, attachments, and links that will typically be visible to anyone who can view the user’s profile.

27. Facebook allows users to upload photos and videos, which may include any metadata such as location that the user transmitted when s/he uploaded the photo or video. It also provides users the ability to “tag” (i.e., label) other Facebook users in a photo or video. When a user is tagged in a photo or video, he or she receives a notification of the tag and a link to see the photo or video. For Facebook’s purposes, the photos and videos associated with a user’s account will include all photos and videos uploaded by that user that have not been deleted, as well as all photos and videos uploaded by any user that have that user tagged in them.

28. Facebook users can exchange private messages on Facebook with other users. Those messages are stored by Facebook unless deleted by the user. Facebook users can also post comments on the Facebook profiles of other users or on their own profiles; such comments are typically associated with a specific posting or item on the profile. In addition, Facebook has a chat feature that allows users to send and receive instant messages through Facebook Messenger. These chat communications are stored in the chat history for the account. Facebook also has Video and Voice Calling features, and although Facebook does not record the calls themselves, it does keep records of the date of each call.

29. If a Facebook user does not want to interact with another user on Facebook, the first user can “block” the second user from seeing his or her account.

30. Facebook has a “like” feature that allows users to give positive feedback or connect to particular pages. Facebook users can “like” Facebook posts or updates, as well as webpages or content on third-party (*i.e.*, non-Facebook) websites. Facebook users can also become “fans” of particular Facebook pages.

31. Facebook has a search function that enables its users to search Facebook for keywords, usernames, or pages, among other things.

32. Each Facebook account has an activity log, which is a list of the user's posts and other Facebook activities from the inception of the account to the present. The activity log includes stories and photos that the user has been tagged in, as well as connections made through the account, such as "liking" a Facebook page or adding someone as a friend. The activity log is visible to the user but cannot be viewed by people who visit the user's Facebook page.

33. Facebook also has a Marketplace feature, which allows users to post free classified ads. Users can post items for sale, housing, jobs, and other items on the Marketplace.

34. In addition to the applications described above, Facebook also provides its users with access to thousands of other applications ("apps") on the Facebook platform. When a Facebook user accesses or uses one of these applications, an update about that the user's access or use of that application may appear on the user's profile page.

35. Facebook also retains Internet Protocol ("IP") logs for a given user ID or IP address. These logs may contain information about the actions taken by the user ID or IP address on Facebook, including information about the type of action, the date and time of the action, and the user ID and IP address associated with the action. For example, if a user views a Facebook profile, that user's IP log would reflect the fact that the user viewed the profile, and would show when and from what IP address the user did so.

36. Social networking providers like Facebook typically retain additional information about their users' accounts, such as information about the length of service (including start date), the types of service utilized, and the means and source of any payments associated with the service (including any credit card or bank account number). In some cases, Facebook users may communicate directly with Facebook about issues relating to their accounts, such as technical problems, billing inquiries, or complaints from other users. Social networking providers like

Facebook typically retain records about such communications, including records of contacts between the user and the provider's support services, as well as records of any actions taken by the provider or user as a result of the communications.

37. As explained herein, information stored in connection with a Facebook account may provide crucial evidence of the “who, what, why, when, where, and how” of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, a Facebook user’s IP log, stored electronic communications, and other data retained by Facebook, can indicate who has used or controlled the Facebook account. This “user attribution” evidence is analogous to the search for “indicia of occupancy” while executing a search warrant at a residence. For example, profile contact information, private messaging logs, status updates, and tagged photos (and the data associated with the foregoing, such as date and time) may be evidence of who used or controlled the Facebook account at a relevant time. Further, Facebook account activity can show how and when the account was accessed or used. For example, as described herein, Facebook logs the Internet Protocol (IP) addresses from which users access their accounts along with the time and date. By determining the physical location associated with the logged IP addresses, investigators can understand the chronological and geographic context of the account access and use relating to the crime under investigation. Such information allows investigators to understand the geographic and chronological context of Facebook access, use, and events relating to the crime under investigation. Additionally, Facebook builds geo-location into some of its services. Geo-location allows, for example, users to “tag” their location in posts and Facebook “friends” to locate each other. This geographic and timeline information may tend to either inculpate or exculpate the Facebook account owner. Last, Facebook account activity may provide

relevant insight into the Facebook account owner's state of mind as it relates to the offense under investigation. For example, information on the Facebook account may indicate the owner's motive and intent to commit a crime (e.g., information indicating a plan to commit a crime), or consciousness of guilt (e.g., deleting account information in an effort to conceal evidence from law enforcement).

38. Therefore, the computers of Facebook are likely to contain all the material described above, including stored electronic communications and information concerning subscribers and their use of Facebook, such as account access information, transaction information, and other account information.

INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

39. I anticipate executing this warrant under the Electronic Communications Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), by using the warrant to require Facebook to disclose to the government copies of the records and other information (including the content of communications) particularly described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

CONCLUSION

40. Based on the forgoing, I request that the Court issue the proposed search warrant.

41. This Court has jurisdiction to issue the requested warrant because it is "a court of competent jurisdiction" as defined by 18 U.S.C. § 2711. 18 U.S.C. §§ 2703(a), (b)(1)(A) & (c)(1)(A). Specifically, the Court is "a district court of the United States . . . that – has jurisdiction over the offense being investigated." 18 U.S.C. § 2711(3)(A)(i).

42. Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

REQUEST FOR SEALING

43. I further request that the Court order that all papers in support of this application, including the affidavit and search warrant, be sealed until further order of the Court. These documents discuss an ongoing criminal investigation in which a minor victim is involved. The documents require the identification of the minor victim's Facebook account; consequently, there is good cause to seal these documents because their premature disclosure may provide identifying information about the minor victim.



Brian Martin
Task Force Officer
Homeland Security Investigations

Subscribed and sworn before me this 8th day of May 2019.



David P. Rush
United States Magistrate Judge
Western District of Missouri